

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:05CR3095
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
JOSEPH J. KISER,)	
)	
Defendant.)	

After hearing the views of stand-by counsel John Vanderslice, the views of Kirk Naylor, counsel for Joseph J. Kiser, and considering the sworn testimony of Joseph J. Kiser,

IT IS ORDERED that:

- (1) The motion to withdraw (filing 28) is denied as moot.
- (2) Joseph J. Kiser has waived any claim that Attorney Kirk Naylor has a conflict of interest because of any relationship Mr. Naylor may have had with Mr. Kiser's father.
- (3) Mr. Naylor is appointed as counsel for Joseph J. Kiser under the provisions of the Criminal Justice Act, and the Federal Public Defender shall provide Mr. Naylor with a CJA voucher.
- (4) My chambers shall issue a new order on sentencing schedule after consulting with counsel and the Probation Office.
- (5) With my thanks, Mr. Vanderslice is excused from any further duty as stand-by counsel in this case.

March 9, 2006.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge